

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO**  
**MINUTE SHEET**  
**BEFORE THE HONORABLE JUDITH C. HERRERA**

**Call of the Calendar**

CR No:	CR 18-3495; 19-1830; 20-1955; 21-299 JCH		USA vs.	Douglas Smith; Andre Maurx; Dominic Soto; Ricardo Nunez			
Date:	5/13/21		Defendant:			Interpreter:	n/a
Time In/Out:	10:37 – 11:01		Total Time:	24 minutes		Hearing in:	remote - via Zoom
Clerk:	E. Romero		Court Reporter:	Paul Baca	Probation Officer:		
AUSA:				Defendant’s Counsel:			

**PROCEEDINGS**

Court in session; Court asks which cases are ready for trial:

CR 19-1830 Andre Maurx: - 4 minutes

Mr. Stanford for USA; Richard Pugh for Andre Maurx; Ready for trial however Mr. Pugh has scheduling conflict; Mr. Stanford responds and does not object to a continuance; Mr. Pugh will file a motion to continue.

CR 18-3495 Douglas Smith: - 12 minutes

Mr. Nayback and Novaline Wilson for USA; Aric Elsenheimer and Amanda Lavin for Douglas Smith; Mr. Elsenheimer states defense is prepared for trial to proceed on the June 14<sup>th</sup> trial date; Mr. Nayback responds and outlines witness conflicts; Evidentiary issue re: 911 call will be reviewed prior to trial; Mr. Nayback requests the DC Expert be permitted to appear via zoom; Court will permit if no objection by defense; Mr. Elsenheimer objects; Mr. Nayback outlines number of witnesses and estimated length of trial; Mr. Elsenheimer responds – believes trial can be completed in one week; Trial is scheduled for June 14, 2021. Parties discuss jury instructions. Trial documents will be filed as soon as possible by parties.

CR 20-1955 Dominic Soto – 4 minutes

Niki Tapia-Brito and Eva Fontanez for USA; D. Eric Hannum for Dominic Soto; Court outlines state of cases and will place this case on the July 26<sup>th</sup> trial docket; Mr. Hannum has a conflict; Court will get this matter set on a trial docket as soon as one is available and encourages the parties to keep talking and working toward resolution short of trial.

CR 21-299 Ricardo Nunez – 4 minutes

Stephen White for USA; Mr. Elsenheimer for Ricardo Alaron Nunez; Mr. Elsenheimer addresses Court and will file a motion to continue now that he has permission from Mr. Alarcon Nunez; Mr. White does not object to a continuance. Court encourages the parties to keep talking and working toward resolution short of trial.